

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----  
STANLEY T. OSHINTAYO,

Plaintiff,

-v-

3:19-CV-253  
(DNH/DEP)

VERONICA M. KRAUSE, Assistant District  
Attorney; BROOME COUNTY; MICHAEL T.  
BAKER, Public Defender; and BROOME  
COUNTY DISTRICT ATTORNEY'S OFFICE,  
formerly known as Broome County District  
Attorney,

Defendants.  
-----

APPEARANCES:

STANLEY T. OSHINTAYO  
Plaintiff pro se  
16-R-0909  
Greene Correctional Facility  
P.O. Box 975  
Coxsackie, NY 12051

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Stanley T. Oshintayo brought this civil rights action pursuant to 42 U.S.C. § 1983. On April 1, 2019, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that the complaint be dismissed without prejudice and that plaintiff be given leave to amend. No objections to the Report-

Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

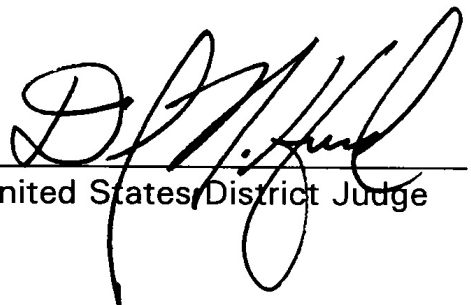
ORDERED that

1. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE and plaintiff is given an opportunity to amend his complaint within thirty (30) days of the date of this Decision and Order to properly present the facts which would support his claim for entitlement to relief against these defendants;

2. If plaintiff files a timely amended complaint, it be forwarded to the Magistrate Judge for review; and

3. If plaintiff fails to file an amended complaint within thirty (30) days of the date of this Decision and Order, the complaint will be dismissed in its entirety without further order.

IT IS SO ORDERED.



United States District Judge

Dated: April 26, 2019  
Utica, New York.